

1969, 83 Stat. 313; Pub. L. 91-511, title VI, §612, Oct. 26, 1970, 84 Stat. 1225; Pub. L. 92-545, title VI, §601, Oct. 25, 1972, 86 Stat. 1150; Pub. L. 93-166, title V, §513(b), Nov. 29, 1973, 87 Stat. 679; Pub. L. 100-448, §11, Sept. 28, 1988, 102 Stat. 1842; Pub. L. 101-510, div. A, title III, §331, Nov. 5, 1990, 104 Stat. 1535; Pub. L. 102-190, div. B, title XXVIII, §2823, Dec. 5, 1991, 105 Stat. 1547; Pub. L. 102-484, div. A, title X, §1054(i), Oct. 23, 1992, 106 Stat. 2503; Pub. L. 103-337, div. B, title XXVIII, §2805, Oct. 5, 1994, 108 Stat. 3053.)

REFERENCES IN TEXT

Section 1594i of this title, referred to in subsec. (d), was repealed by Pub. L. 97-214, §7(3), July 12, 1982, 96 Stat. 173.

CODIFICATION

Subsecs. (h) and (j) of this section amended section 1715n(a)(8) and repealed section 1735h of Title 12, Banks and Banking, respectively, with such repealed section being covered by this section.

AMENDMENTS

1994—Subsec. (c). Pub. L. 103-337 inserted after first sentence “The Secretary may also pay a person who elects to receive a cash payment under clause (1) of the preceding sentence an amount that the Secretary determines appropriate to reimburse the person for the costs incurred by the person in the sale of the property if the Secretary determines that such payment will benefit the person and is in the best interest of the Federal Government.”

1992—Subsec. (a)(1). Pub. L. 102-484 substituted “member of the Armed Forces of the United States” for “serviceman”.

1991—Subsec. (a)(1). Pub. L. 102-190, §2823(b)(1)(A), which directed the substitution of “member of the Armed Forces of the United States” for “servicemen” could not be executed because the word “servicemen” did not appear. See 1992 Amendment note above.

Subsec. (a)(2). Pub. L. 102-190, §2823(b)(1)(B), inserted before semicolon “or, in the case of a member of the Armed Forces not assigned to that base or installation at the time of public announcement of such closing, will prevent any reassignment of such member to the base or installation”.

Subsec. (b). Pub. L. 102-190, §2823(a), (b)(2), (3), substituted pars. (1) to (3) for former introductory provisions and pars. (1) to (3); designated first proviso of subsec. (b) as par. (4) and substituted “At” for “Provided, That, at”, redesignated cls. (i) and (ii) as subpars. (A) and (B), respectively, and substituted period for colon at end of subpar. (B); and designated second proviso of subsec. (b) as par. (5) and substituted “As” for “Provided further, That as” and redesignated cls. (i) and (ii) as subpars. (A) and (B), respectively. Prior to amendment, former introductory provisions and pars. (1) to (3) read as follows: “In order to be eligible for the benefits of this section such employees or military personnel must be or have been—

“(1) assigned to or employed at or in connection with the installation or activity at the time of public announcement of the closure action, or employed by a nonappropriated fund instrumentality operated in connection with such base or installation,

“(2) transferred from such installation or activity, or terminated as employees as a result of reduction-in-force, within six months prior to public announcement of the closure action, or

“(3) transferred from the installation or activity on an overseas tour unaccompanied by dependents within fifteen months prior to public announcement of the closure action.”

Subsec. (l). Pub. L. 102-190, §2823(b)(4), substituted “subsection (b)(5)” for “the second proviso of subsection (b)”.

1990—Subsec. (a)(1). Pub. L. 101-510, §331(1), inserted “, a nonappropriated fund instrumentality employee

employed at a nonappropriated fund instrumentality operated in connection with such base or installation,” after “limitation”.

Subsec. (b)(1). Pub. L. 101-510, §331(2), inserted at end “or employed by a nonappropriated fund instrumentality operated in connection with such base or installation,”.

Subsec. (k). Pub. L. 101-510, §331(3), substituted “(n), and (o)” for “and (n)”.

Subsec. (o). Pub. L. 101-510, §331(4), added subsec. (o). 1988—Subsec. (k). Pub. L. 100-448, §11(1), substituted “(c), and (n)” for “and (c)”.

Subsec. (n). Pub. L. 100-448, §11(2), added subsec. (n). 1973—Subsec. (m). Pub. L. 93-166 added subsec. (m).

1972—Subsec. (d). Pub. L. 92-545 inserted “, except in connection with compensation for property located on a base or installation pursuant to subsection (j) of this section” to provision prohibiting acquisition of properties in foreign countries under this section.

Subsec. (l). Pub. L. 92-545 added subsec. (l).

1970—Subsec. (a)(3). Pub. L. 91-511 inserted “or if as the result of such action and other similar action in the same area,” after “part,”.

Subsec. (k). Pub. L. 91-511 added subsec. (k).

1969—Subsec. (c). Pub. L. 91-142, §602(a), struck out “and prior to the one hundred and twentieth day after November 3, 1966,” after “installation” in third sentence.

Subsec. (d). Pub. L. 91-142, §602(b), excluded acquisition of foreign properties under this section.

EFFECTIVE DATE OF 1970 AMENDMENT

Section 612 of Pub. L. 91-511 provided that the amendment made by that section is effective Oct. 28, 1969.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 2832; title 12 section 1715n.

CHAPTER 42—NARCOTIC ADDICT REHABILITATION

SUBCHAPTER I—GENERAL PROVISIONS

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| 3413. | Judicial proceedings; advisement of patient; counsel, retained physician's authority, treatment program of commitment, withdrawal, duration, confinement, post-confinement, and recommitment; examination of patient; appointment of physicians, order of commitment, conduct and report of examination, and copies to patient and counsel; return of patient for further proceedings. |
| 3414. | Hearings. <ul style="list-style-type: none"> (a) Discharge of patient and dismissal of proceedings; notice of time and place; service; issues of fact; demand for jury or judicial determination. (b) Evidence; patient's testimony; examinations and cross-examinations; judicial review of orders of commitment. |

Sec.

- (c) Detention of patient.
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 - 3415. Order of commitment for treatment to care and custody of Surgeon General; reports of Surgeon General.
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 - 3417. Release from confinement.
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 - (b) Return to committing court for recommitment and submission to posthospitalization treatment.
 - 3418. Petition for inquiry into health and general condition and necessity for continuation of confinement; order for release from confinement and return to court; placing patient under posthospitalization treatment.
 - 3419. Criminal conviction or criminal appellation from determination of being narcotic addict; criminal proceedings prohibited from using information gained in addiction inquiry.
 - 3420. Evidence; examining physician a competent and compellable witness; physician-patient privilege.
 - 3421. Subchapter inapplicable to persons with criminal charge pending, on probation, or with sentence unserved; consent to commitment of such persons by authority with power over their custody.
 - 3422. Commitment to hospital of the Service dependent upon certification of availability of facilities or personnel for treatment.
 - 3423. Compensation of physicians and counsel; source of funds.
 - 3424. Authority of Surgeon General.
 - (a) Delegation of functions.
 - (b) Arrangements making available, on a reimbursable basis or otherwise, facilities or services of agencies or persons for examination or treatment.
 - 3425. Penalties; escape or rescue from custody.
 - 3426. Penalties; false statements.
- SUBCHAPTER III—REHABILITATION AND POST-HOSPITALIZATION CARE PROGRAMS AND ASSISTANCE TO STATES AND LOCALITIES
- 3441. Outpatient services; establishment.
 - 3442. Repealed.

SUBCHAPTER I—GENERAL PROVISIONS

§ 3401. Declaration of policy

It is the policy of the Congress that certain persons charged with or convicted of violating Federal criminal laws, who are determined to be addicted to narcotic drugs, and likely to be rehabilitated through treatment, should, in lieu of prosecution or sentencing, be civilly committed for confinement and treatment designed to effect their restoration to health, and return to society as useful members.

It is the further policy of the Congress that certain persons addicted to narcotic drugs who are not charged with the commission of any offense should be afforded the opportunity, through civil commitment, for treatment, in order that they may be rehabilitated and returned to society as useful members and in

order that society may be protected more effectively from crime and delinquency which result from narcotic addiction.

(Pub. L. 89-793, § 2, Nov. 8, 1966, 80 Stat. 1438.)

CODIFICATION

Section was not enacted as part of the Narcotic Addict Rehabilitation Act of 1966, which is classified to subchapters II and III of this chapter, chapter 314 (section 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (section 2901 et seq.) of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section 605 of Pub. L. 89-793 provided that: "Title I of this Act [enacting chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure] shall take effect three months after the date of its enactment [Nov. 8, 1966], and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date. Titles II [enacting chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure] and V of this Act [amending section 7237(d) of Title 26, Internal Revenue Code and enacting provisions set out as note under section 4202 of Title 18] shall take effect three months after the date of its enactment [Nov. 8, 1966] and shall apply to any case pending in any court of the United States in which sentence has not yet been imposed as of such effective date. Title III of this Act [enacting section 3411 et seq. of this title] shall take effect three months after the date of its enactment [Nov. 8, 1966]."

SHORT TITLE OF 1971 AMENDMENT

Pub. L. 92-420, § 1, Sept. 16, 1972, 86 Stat. 677, provided: "That this Act [amending section 3411 of this title, section 4251 of Title 18, Crimes and Criminal Procedure, and section 2901 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as a note under section 2901 of Title 28] may be cited as the 'Narcotic Addict Rehabilitation Amendments of 1971'."

SHORT TITLE

Section 1 of Pub. L. 89-793 provided: "That titles I, II, III, and IV of this Act [enacting subchapters II and III of this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure] may be cited as the 'Narcotic Addict Rehabilitation Act of 1966'."

SEPARABILITY

Section 604 of Pub. L. 89-793 provided that: "If any provision of this Act [enacting this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure, amending section 257 of this title and section 7237 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under this section and section 4202 of Title 18] or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

AUTHORIZATION OF APPROPRIATIONS

Section 607 of Pub. L. 89-793 provided that: "There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act [enacting this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure, amending section 257 of this title and section 7237 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under this section and section 4202 of Title 18]."